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			U.S. P.	ATENT DOCUMENTS		
		1 8 Patent	Document			Date of Publication of Cited
1 xamunci	Cite	Number	Kind Code (it known)	Name of Patentee or	Applicant of Cited Document	Document MM-DD-YYYY
Initials*	No.			Froughauden et al	. 13	06-18-1974
1	P1	3,817,973		I mezawa et al	9,1	02-01-1972
77	P2	3,639,582		k, unishima et al		m1-22-1985
	P3	1 495 348				05-13-1997
100	P4	5 629,288		Lattrell et al		11-14-2000
	P5	6.146,872		1 eda et al		
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				FOREIGN	PATENT DOCUMENTS		
L xammer linitials*	Cite		Loreign Patent Doc	rument	Name of Patentee or Applicant of Cited	Date of Publication of Cited Document	100
		Office	\umbet'	Kind Code <sup>2</sup> (if known)	Dogument	7171-DD-7 77°7	1:
	1-1	WO	98 (0)173	12	*	u(1-08-1998	
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	OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
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	DI	NAGANAWA et al. A Novel Faity Acid From Faspartomycin. The Journal of Antibiotics Vol. 23, No. 8, pp. 423-424, August 1970.						
<b>→</b>								

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<sup>\*</sup>EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

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l xammer Initials*	Cite	Number	Kind Code (it known)	Name of Patentee or App	Control Cited Document	Document MM-DD-YYYY
<u></u>	P6	4.524.135		Abbott et al	-1	06-18-1985
	Р-	4 977 083		Hoeck	14	12-11-1990
	P8	4 994,270		Boeck et al		(12-19-1991
- 1	P9	5.028,590		Fukuda et al	0	(17-()2-1991
	P10	5,039 789		Fukuda et al		08-13-1991
	PH	5.912.226		Baker et al		06-15-1999
F. L.	P12	6,194,383	BI	Hammann et al		02-27-2001
	-					

	FOREIGN PATENT DOCUMENTS								
l xammer Initials*	Cite	ı	oreign Patent Doc	ument	Name of Patentee or Applicant of Cited	Date of Publication			
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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
l•xaminer Initials*	Cite No	Include name of the author (in CAPITAL TETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and or country where published	1.
40	1)2	BODANS/KY et al.   structure of the Peptide Antibiotic Amphomycm", Journal of the Amer. Chem. Soc., 95.7 April 4 1973, pp. 2352-2357	
	D3	DEBONO et al. (Traymatic and Chemical Modifications of Eipopeptide Antibiotic A21978). The Synthesis and Evaluation of Daptomy and FY1460326. The Journal of Antibiotics, Vol. XI I, No. 8, Aug. 1988, pp. 1093-4105.	
776	1)4	SHAY et al., "Aspartocin T Production Isolation and Characteristics", Antibiotics Annual 1959-1960 pp. 194-198	
	D5	NAGANAWA et al. "Laspartomycin, A New Anti-Staphylococcal Peptide". The Journal of Antibiotics, Vol. 21-1, Jan. 1968, pp. 55-62.	
, , ,	1Xo	MARTIN et al., "Isolation and Identification of D- $\alpha$ -Pipecolic Acid, $\alpha[1,],\beta$ -Methylaspartic Acid and $\alpha,\beta$ -Diaminubutyric Acid from the Polypoptide Antibiotic Aspartocin", Communications to the Editor, April 20, 1960, pp. 2079	

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